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S P E E C H

OF

HON. GEORGE W. SUMMERS,

ON

FEDERAL RELATIONS

IN THE

VIRGINIA CONVENTION,

DELIVERED

MARCH 11, 1861.

RICHMOND:

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1861.

Summers

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SPEECH.

Mr. GEORGE W. SUMMERS, of Kanawha, having obtained the floor, addressed the Convention, as follows :

Mr. President, if there is nothing now before the Convention claiming precedence in the order of business, I will move that the Message of the Governor of the Commonwealth, communicating the report of the Commissioners to the late Peace Conference at Washington, which was laid on the table a few days since, be now taken up. If that motion shall be successful, I propose to follow it with a motion to refer the message and report to the Committee on Federal Relations, and, with the consent of the Convention, to submit some remarks in support of that motion. I move, in the first place, that the message and report be taken up.

The motion was agreed to.

Mr. SUMMERS continued :—Mr. President, it was my purpose, some days since, to have submitted a motion for the reference of this report, but I have had no opportunity of doing so. I learned that I could not effect my purpose, unless by a previous motion to lay on the table the resolution offered by the gentleman from Chesterfield, (Mr. Cox,) and the pending amendments to his proposition, a course which I did not feel at liberty to adopt. I think it is due to the Convention and to the Committee, that the earliest possible opportunity for the consideration of this report shall be had, and that the views of the Committee upon it shall be presented to the Convention. Having been one of the Commissioners sent by Virginia to the Peace Conference, which seems to have become the name applied to the convocation of States lately held in Washington, and having had the misfortune to differ on some points with my most respected and esteemed colleagues, or a portion of them, I hope it will not be considered out of place if I avail myself of this occasion to present, briefly as I may, the considerations and views which induced me to sustain the measure adopted by that Conference.

I remark, however, in the first place, that there were but very few votes taken upon any of the propositions offered in the Con-

ference upon which there was any diversity of opinion entertained between the Commissioners from Virginia. According to my recollection the first section of the adjustment agreed on, in regard to the Territorial question, presented the only occasion when there was any dissenting opinion entered on the journal by a portion of the Commissioners from this State.

Ex-President TYLER—Except in regard to the second section, upon which I raised my own dissenting voice.

Mr. SUMMERS resumed. I beg pardon. I had forgotten that the distinguished gentleman from Charles City, (Ex-President TYLER,) my respected and venerable colleague in this commission, had indicated his dissent upon the second section, which second section, however, received the votes of the other four Commissioners from Virginia.

This adjustment, Mr. President, is the result of a procedure instituted by the General Assembly of this Commonwealth, desiring, with the most patriotic motives, to make an earnest effort for a settlement of the difficult and threatening questions now dividing the country. I do not propose to go into details in regard to the votings in the Conference. But I propose to address myself for a short time to the adjustment itself, remarking, however, in advance, that we met, in the Conference, Commissioners from twenty-one States of this Union—seven of them slaveholding States and fourteen non-slaveholding States—and that while there was, to some extent, an exhibition of a spirit and purpose adverse to the views of the Southern States and the Commissioners from Virginia, yet, as a general proposition, I was gratified to find marked indications of a spirit of fraternity—a general desire for harmony and tranquility, and an anxious desire for the restoration and perpetuity of our Union. This, especially, manifested itself, I will take occasion to say, on the part of the Commissioners representing the border non-slaveholding States. Going beyond that line, I cannot permit myself to omit mentioning that the State of Rhode Island was found, throughout all the proceedings, in entire harmony with the wishes and purposes of those of the Southern States, and active in making effort for a settlement and adjustment of these questions; that the State of New Jersey, by her entire delegation, was with us throughout, upon every proposition; that the Commonwealth of Pennsylvania, by a large majority of her delegation, and the State of Ohio, by a like majority of her Commissioners, exhibited the same purpose and spirit; and it was a matter of the deepest gratification and the most hopeful interest, that throughout those labors and to their close there was manifested a growing spirit of brotherhood, a tightening of the bonds as it were, between the border States on each side of the line, including Illinois and Indiana. Indiana, it is true, did not vote upon the

final adoption of the measures promulgated by the Conference. The Commissioners from Indiana were instructed, by the resolutions of the Legislature of that State, to bestow no final vote upon any proposition, without first reporting it to the Legislature then in session, for its concurrence. Following out the direction of her Legislature, in accordance with those restrictive resolutions, Indiana did not cast her vote upon the final action of the body. But Illinois did, and aided materially in their support, on the floor, in their advocacy.

Coming, then, Mr. President, to the result of these labors, I will first make a single remark as to a general objection to the whole, so far, at least, as the Territorial question is concerned; an objection which I have heard repeated, and which was made in the Senate of the United States, and that is, that under the decision of the Supreme Court of the United States in the Dred Scott case, the South is entitled to participation in all the Territories belonging to the people of the United States; that we have equal right, from the South as from the North, to migrate to any of the Territories belonging to the United States, carrying with us any species of property known to the laws of the State from which it may be carried; and that this right being now secured and recognized by the decision referred to, this adjustment is an abandonment, on the part of the South, of the right to that portion of the Territory on the North side of the line of 36 deg. 30 min.

Mr. President, I have not been accustomed to regard the South as being entirely satisfied to stand upon the Dred Scott decision in this particular. Were that the fact, could we, in our own judgment, with safety now and hereafter stand upon the Dred Scott decision, awarding equal right to the people of every portion of the Union in those Territories, there would be no occasion to seek an adjustment at all, so far as the Territorial questions are concerned. We all know, however, that in certain quarters, that decision, beyond a given point, has not been regarded as of binding authority. We have been accustomed in the South to apprehend that, by mutations in the composition of the Court, that opinion may be changed; and I think I cannot err in expressing it as the general conclusion of the Southern mind, that a fair and equitable partition of the Territories would be the most judicious mode of settling the question.

We went to Washington, Mr. President, under resolutions of the General Assembly of Virginia, which declared that the plan of adjustment proposed by the distinguished Senator from Kentucky, Mr. Crittenden, would be satisfactory to the people of this Commonwealth. I did not regard that declaration as intended to present the scheme of adjustment referred to in the light of an ultimatum. I do not know that any of us regarded ourselves

as restricted to the Crittenden propositions, but that these were indicated by the General Assembly as presenting one of the modes of adjustment which would be satisfactory to the people of Virginia, and that they were suggested as the basis of negotiation at Washington. The adjustment arrived at by the Peace Conference divides all the Territory belonging to the United States by the line of 36 deg. and 30 min. of North latitude. If it be an objection to this adjustment that it is a surrender of all upon the North side of that line, it is equally an objection to the Crittenden proposition which divides it by the same line. I observe that one of the distinguished Senators from Virginia in the Senate of the United States made this objection; that it was a surrender of the rights of the South on the North side of the line of 36° 30'; and yet that same distinguished Senator himself offered the first article of the Crittenden proposition as a substitute for the first article of the adjustment at Washington, and so far as the partition of the Territory by a fixed line is concerned both are precisely alike.

Passing from that objection, and insisting that we might well have thought ourselves justified in approving a fair partition of the Territories by the plain directions of the resolutions of the General Assembly under which we were commissioned, I beg leave to submit some remarks upon the section itself.

* * * * *

[Mr. SUMMERS then proceeded to examine elaborately the various amendments to the Constitution proposed by the Peace Conference, and to show that these amendments covered every point of controversy between the South and the North, connected with the question of slavery, and would, if adopted, secure our rights against all aggression, so far as they can be secured by constitutional guarantees.

The entire speech has been published and extensively circulated in the newspaper press. In order to lessen the size of the pamphlet edition, this minute analysis of the several amendments is here omitted.]

Now, sir, having, as I am very conscious, in an unsatisfactory manner, examined the various sections of which this report is composed, let me inquire what has been obtained? Take that report of your Commissioners as it is, and can it be denied that a very great advance has been made in securing the guarantees that were desired in regard to our rights under the Constitution? The territorial question has been settled and adjusted by the first section. The territories are divided between North and South, and equality of right secured and perpetuated. I do not intend to add to the remarks submitted yesterday upon that section, further than to supply a mere omission which, at the time, did not occur to my mind, and it is this: to remind the Conven-

tion that the Territory of Arizona, by an act of Congress has been attached to and made part and parcel of the Territory of New Mexico. So that when we speak of New Mexico, or the New Mexican law—when we examine this first section, which declares and fixes the condition of persons held to service on the south side of the line of $36^{\circ} 30'$ —we must remember, in that connection, that all the territory that we now own south of that line, is comprehended and united under one territorial government; and embraced in the same code, so far as regards slavery.

I will not recapitulate the advantages possessed and the guarantees presented by this adjustment. They are present to the memory and comprehension of all. The denial of powers to the General Government, contained in the third section, are of the highest import and consequence to the States. The equality of power, in the acquisition of territory, the concession of perfect equality of power to the unequal and weaker section, is, in my opinion, of itself worth infinitely more than all the effort which has been made, and should be secured by the most diligent endeavor, and with any reasonable delay in time which may be necessary to procure it.

Then there are the provisions directed to the reclamation of fugitive slaves, and compensation for those unreclaimed; and, finally, the irrepealability of those guarantees, and of certain provisions in the Constitution of vital importance to the Southern States.

These measures, taken together, meet fully every cause of apprehension which has heretofore disturbed us, and close every avenue of trouble and annoyance, which can be reached by constitutional amendments. I do not hesitate to say that they are miles in advance of any line prescribed by any party in Virginia, six months ago. Sir, these amendments will remove every difficulty by which we have been surrounded. They are guarantees upon which the country may repose, and with entire security.

But it is said that this adjustment has proved abortive—that this effort at settlement, initiated by Virginia, has proved a failure—because of the non-submission by Congress of those measures for adoption by the States.

Mr. President, a word on that point: I am of opinion that the people of Virginia will not hold us justified in taking any action that is to determine her immediate position, by a failure on the part of the late Congress to propound these measures of the Peace Conference for the action of the several States.

Sir, what are the circumstances attending those measures, and the failure of Congress to submit them?

The resolutions of the General Assembly of Virginia which looked to this proceeding, were passed on the 19th of January

last. Those resolutions required that the Commissioners appointed by herself, and those invited from the other States, should convene in the City of Washington on the 4th day of the following February. Between the 19th of January and the 4th of February, the propositions of Virginia were not sufficiently thrown out, to be acted upon in time for all the States to meet us on the day appointed, the 4th of February. The period was short and the notice was insufficient.

On the 4th of February, the day appointed, Commissioners from eleven States appeared, and the Conference was organized. In the course of some days thereafter, twenty-one States were found assembled—making a body of some one hundred and thirty members, by their representatives.

Before this body was propounded various important and material amendments of your fundamental law, to be discussed, considered and decided, and then to be communicated to Congress with a request that they should be submitted to the States. After a labor of some three weeks, this adjustment which I have already reviewed, was agreed upon. Its adoption occurred on Wednesday, the 27th of February, and I believe on the evening of the same day it reached the halls of Congress. Now, Mr. President, let it be borne in mind that there were but three working days left of the congressional session—Thursday, Friday and Saturday. Congress was to adjourn on Monday, the 4th day of March, when it expired. Remember, in connection with this, that not merely was there this absence of time, but on the other hand there was a fullness of business, as there always is at the closing of Congress, rendering it almost impossible to take up any new propositions. I need not remind the members of this body how business in a deliberative assembly accumulates during the session and settles down in heavy mass at the close. Let it be borne in mind, also, that this proposition, thus agreed upon at so late a period, came before Congress not only at the close of the session, when every member was more or less engaged with his own particular measures, devising them either for the benefit of the country, or his own personal benefit and popularity, and struggling to give them precedence; but let it be remembered further, that it came in at a time when one administration was about retiring from power and a new administration, under most peculiar circumstances, was about going into power—that new administration, with a party discordant, to some extent, and having seminal causes of its ultimate dissolution already beginning to manifest themselves. Let me call to mind, also, that these propositions were propounded to a Congress, not fresh from the people—elected two years ago and more—not familiar with the public want and the popular sentiment as it now is, changed and modified as the public sentiment must be

by the unprecedented and startling events which have occurred since their election. But, notwithstanding all these circumstances so adverse to a fair consideration of the subject, a motion to take up the proposed amendments in the House of Representatives, which could only be reached by a motion to suspend the rules requiring a vote of two-thirds; I say a motion to take up and consider received a large majority in its favor, and though not a two-thirds vote, sufficient to suspend the rule, indicated, under the circumstances, a willingness on the part of the House of Representatives to take up and consider the proposition.

I need not recur to the fate of this measure in the Senate, but I will say that it wont do to go home and tell the people of Virginia that these measures of the Peace Conference were not submitted because alone of opposition from a hostile party at the North. These measures received the opposition, and encountered the hostility of Southern as well as of Northern Senators. I mean not the slightest disrespect to any gentleman bearing a representative character from this State, for whom I feel sentiments of personal kindness. I do not intend to designate gentlemen by party epithets, but I will say, without meaning offence to any, that these measures met their fate and received their *quietus* in the Senate under the combined hostility and assault of gentlemen of extreme opinion from both sections of the country.

But, Mr. President, I would advert in this connection to some facts tending still further to show that there is nothing to discourage us; that we have not exhausted the remedies and expedients which lie before us; but, on the contrary, that we are invited by recent events to further efforts; that instead of permitting ourselves to despair of an honorable settlement of all these difficulties, there is really more ground for hope than at any period before. The state of the public mind of the North is more favorable to a harmonious settlement of sectional difficulties than heretofore. There have been manifestations of this more favorable proclivity, recently, which should not be overlooked.

You are aware, sir, that the Congress which has just adjourned, constituted as it was, submitted by the constitutional vote of two-thirds of each branch of that body, an amendment to the Constitution of the United States, which forbids any amendment hereafter, for the purpose of touching slavery in the States, unless the same be approved and ratified by every State in the Union. There, sir, is an amendment to the Constitution closing up this source of apprehension, and making it impossible for Congress, or any less number of the States than the whole, slaveholding as well as non-slaveholding, to disturb this great interest of the South.

Our Constitution provides that when an amendment shall be proposed in that mode, that it shall be submitted to the Legislatures or to Conventions of the States, as Congress shall determine. I do not know whether the act of Congress, in this case, provides that the amendment referred to shall be submitted to Conventions, or to the Legislatures; but, if it is to be submitted to Conventions, and this amendment shall find its way here, during the sitting of this body, is there any member who will not accept it and vote for it? All will be anxious to place in the Constitution a guaranty declarative of the inviolability of those rights in the Southern States.

Now, sir, under these circumstances, is it to be supposed by any man in this assembly, that the people of Virginia are to be content with such an effort? Are the people of Virginia to be made to say, that all constitutional remedies and all honorable expedients have been resorted to and exhausted, and that there is no relief, that they will wait no more—that the day has come and the die is cast? No, Mr. President, whatever may be the opinion of gentlemen here, believe me, sir, that the constituent body are not prepared to utter that sentiment and pronounce that judgment.

Sir, I undertake to say, that there never has been a period so propitious for a procurement of all the just rights of Virginia and of her sister Southern States as the present. I say that so far from being discouraged by anything that has occurred in the Peace Conference or out of it, I am prepared to declare as my own personal opinion, that never at any past period has there been so favorable an opportunity and so inviting a field for effort to settle these questions, and with a prospect so encouraging of the best results, as the present period.

Sir, when, at any period, was the institution of slavery so fully and thoroughly understood as now? It has been examined in all its relations, social, moral and political. The political arguments, the economical views and the social and moral aspects of the institution have all been explored, and I undertake to say that the institution of African slavery has at this moment, North and South, more enlightened support and a larger number of friends than at any past period. We have them in the North, and daily increasing in numerical strength. There has been a waking up in the Northern mind on this subject. They have not only looked into it as connected with the preservation of the Union, but as a thing in the abstract. And how many thousands of them now believe that this institution is not only not sinful, but that it is expedient. They no longer look upon slavery in the South as adverse to their interests. In my own opinion, the two systems of free and slave labor not only are without any necessary conflict—are not

only entirely free of all irrepressible antagonism—but they are mutually necessary to each other, and reciprocally beneficial. I state, as a fact declared to myself personally, by members of the “Peace Conference” from extreme States of the North, and who were themselves found voting against these amendments, that if submitted to the people of their States, or if submitted to conventions of the people of these States, they would find acceptance by large majorities.

Sir, I have before me a series of resolutions passed by Congress, which were furnished me by a member of Congress, with his own marginal notes upon them as they were passed. The adjournment of Congress is so recent that we have not yet been furnished with the proceedings of the last session, and therefore I am not able to speak authoritatively from any examination of the resolutions myself as to their passage through both houses of Congress, but I conclude from the annotations that they have passed both branches of the General Government. The gentleman who sent me these resolutions, a member of Congress from our own State, has marked those which were “passed” and those which were “not voted on.” I can say with certainty that these resolutions passed the House of Representatives, which serves the only purpose I have in referring to them, that it is the present tendency of the public mind to remove all causes of irritation, and to observe constitutional duties and obligations, and as furnishing encouragement to look forward to a fair and just settlement of all these perplexing questions. I will read a portion of the resolutions which are marked “passed.”

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all attempts on the part of the Legislatures of any of the States to obstruct or hinder the recovery and surrender of fugitives from service or labor are in derogation of the Constitution of the United States, inconsistent with the comity and good neighborhood that should prevail among the several States, and dangerous to the peace of the Union.

“Resolved, That the several States be respectfully requested to cause their statutes to be revised, with a view to ascertain if any of them are in conflict with or tend to embarrass or hinder the execution of the laws of the United States, made in pursuance of the second section of the fourth article of the Constitution of the United States, for the delivery up of persons held to labor by the laws of any State and escaping therefrom; and the Senate and House of Representatives earnestly request that all enactments having such tendency be forthwith repealed, as required by a just sense of constitutional obligations, and by a due regard for the peace of the Republic; and the President of the United States is requested to communicate these resolutions

to the several States, with a request that they will lay the same before the Legislatures thereof respectively.

“Resolved, That we recognize slavery as now existing in fifteen of the United States by the usages and laws of those States; and we recognize no authority, legal or otherwise, outside of a State where it so exists, to interfere with slaves or slavery in such States, in disregard of the rights of their owners or the peace of society.

“Resolved, That we recognize the justice and propriety of a faithful execution of the Constitution, and laws made in pursuance thereof, on the subject of fugitive slaves, or fugitives from service or labor, and discountenance all mobs or hindrances to the execution of such laws, and that citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

“Resolved, That we recognize no such conflicting elements in its composition, or sufficient cause from any source, for a dissolution of this Government; that we were not sent here to destroy, but to sustain and harmonize the institutions of the country, and to see that equal justice is done to all parts of the same; and finally to perpetuate its existence on terms of equality and justice to all the States.

“Resolved, That each State be also respectfully requested to enact such laws as will prevent and punish any attempt, whatever, in such State, to organize or set on foot the lawless invasion of any other States or Territory.”

You are aware, Mr. President, that we now have a constitutional provision that fugitives from *justice* shall be demanded by the Executive of the State from which the offenders shall flee, and shall be rendered up, &c. That constitutional provision, while it requires that the claim for surrender shall be made by the Executive of the State from which the party flees, does not provide upon what State authority the demand shall be made. The custom and usage from the foundation of the Government, I believe, has been, in cases of that character, for the Executive of one State to make the demand upon the Executive of the other. I am aware that many instances have occurred in which difficulties have arisen upon demands of this sort being made—some from our own State—where the Executive of the State upon whom the demand has been made, undertook to decide for himself whether the offence charged was an offence recognized by the law of the State in which the party had sought refuge. One of the men concerned in the Harper’s Ferry insurrection was demanded, I believe, of the Governor of Ohio, and not surrendered. And there is the recent case in which a demand was made by Kentucky upon the State of Ohio for a party charged with a criminal offence fleeing into that State; and I believe I

am very well warranted in saying that the act, to which I am about to refer, grew out of this very Ohio and Kentucky case. The Governor of Kentucky, perhaps, by the direction of the Legislature, as to that I am not positive, appointed counsel to ask of the Supreme Court of the United States at Washington, a *mandamus* on the Governor of Ohio for the surrender of this fugitive from justice. This case served to draw the public mind to the question, and to the want of a proper law on the subject. That case has not yet been disposed of by the Supreme Court. But the opinion of the profession, and which, I have no doubt, will be proved correct by the decision of the Court, is, that the Court has no power to proceed against the Executive of a State by way of *mandamus*. If the demand were made on the Judicial branch of the Government, then, for refusal to act, or acting erroneously, the higher Court could give relief.

Well, to meet such cases, the act which I am about to read, was passed by the House of Representatives at its late session—I am not prepared to say certainly whether it passed the Senate.

“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person charged, by indictment or other satisfactory evidence, in any State, with treason, felony, or other crime, committed within the jurisdiction of such State, who shall flee or shall have fled from justice and be found in another State, shall, on the demand of the Executive authority of the State from which he fled upon the District Judge of the United States of the district in which he may be found, be arrested and brought before such judge, who, on being satisfied that he is the person charged, and that he was within the jurisdiction of such State at the time such crime was committed; of which such charge shall be prima facie evidence, shall deliver him up to be removed to the State having jurisdiction of the crime; and if any question of law shall arise during such examination, it may be taken on exceptions by writ of error to the Circuit Court.*”

Now, Mr. President, you see it is here provided that, when a person charged with treason, felony or other crime, shall escape from any State, that the demand shall be made by the Governor of the State upon the District Judge, instead of the Executive. If he fails to do his duty, the *mandamus* lies, as also the writ of error.

But, again, the Judge is cut off from inquiring into the nature of the offence. The whole scope of his inquiry is, whether the party arrested and brought before him, is the person charged; and that he was within the jurisdiction of the State demanding him, at the time the offence was committed, and of these facts the charge itself is to be *prima facie* evidence, thus throwing the burthen of disproving them on the offender.

This law would have relieved us of the difficulties that occurred in the Harper's Ferry case, the Kentucky case, and a large class of cases of similar character. I adduce it as another practical proof, to show the tendency of the public mind. I mention it to show that there is nothing in the public sentiment to discourage, nothing to make us halt in our exertions; but on the other hand, that there is everything to animate and encourage us in the great work of repairing and perpetuating the Union and the Constitution.

Mr. President, it has been urged that neither the Peace Conference adjustment, the Crittenden project, or anything that we were likely to obtain in the way of guarantees, will induce our sister States of the South to return to the Union, and that Virginia ought to be content with nothing short of what will satisfy and restore them. Mr. President, we have duties to perform to, and for ourselves. In the performance of those duties I am not unmindful of the desire of the country, of my own ardent personal desire for the restoration of those States to their former place in the Union. But, sir, I am here for one to declare my opinion that, whatever in the way of guarantees, whatever settlement of these vexed questions shall be found satisfactory to the slave States still remaining in the Union; whatever shall be found acceptable to them and sufficient to secure their rights, ought, *a fortiori*, to be acceptable to the seceded sister States of the South. Sir, we have infinitely more interest in all the perplexing questions which have arisen connected with slavery, than they have, or ever can possibly have. In regard to the fugitive slave law, it is certain we are much more deeply interested than they are—they lose exceedingly few slaves by escape, none in comparison with the number lost by the border States. They are hedged and surrounded by slave States, interposed between them and the free States, so that their slaves cannot escape, except in rare instances by vessels.

Again: What interest, compared with ours, have the cotton States in the territorial question? Do they furnish any population for the settlement of the Territories? Is there a man from South Carolina, Georgia, Louisiana, Mississippi or Alabama, who would leave the fertile fields of the South, to migrate with his negroes into Arizona or New Mexico? What possible inducement can exist for the removal of slave labor from the cotton and sugar plantations of the Southern States, where it is so profitable, to any of the Territories now owned by the United States? Practically, the border States have more interest in the territorial question than they can have. The slave migration to Territories, so far as there is any, will be from the border States, and not from the cotton States.

In all these questions, we have the larger interest. Nor am I

prepared to admit that in their settlement they have any right to claim a higher standard of honor, or nicer appreciation of right, than ourselves. I will not anticipate that in the event the border slave States shall obtain guarantees satisfactory to themselves, that they will not prove equally satisfactory to the more Southern States. Should these States refuse to return upon a proper settlement of our difficulties, such a settlement as shall be satisfactory to Virginia, and the other slave States yet remaining in the Union, such refusal would furnish strong evidence that they left us, not on the ground of the slavery issues and difficulties, but for other causes, and upon a foregone conclusion. I delight, as much as any one, to anticipate the hour when these States shall come back to us. An apprehension was expressed from a certain quarter, in the discussions at Washington, that the seceded States might, while out of the Union, acquire by treaty, or otherwise, large portions of Mexico, and that there might be difficulty in receiving them with their new accessions. I took occasion then to repel the ungenerous imputation, and expressed the opinion that let these States come back when they would, and whether they should return as the prodigal son came, bereft of all the fortune that he carried from his home, or come back laden with empires and kingdoms for their dowry, they would be received with open arms and joyous hearts by the American people. And so they will be—and they will come. We belong to the same race. We cannot long be separated. There is at this moment a large amount of conservative sentiment in every one of these States, more or less repressed for the moment. There is a love of the old Union, lingering in many hearts. Eyes are yet turned with pride and admiration to the stars and stripes—to the flag which has been borne so gallantly on many a field, and which has floated in triumph on lake and ocean. Settle and adjust these questions and relieve that pressure. You will then see, sir, the old sentiment of loyalty to the Union retuning itself. You will see that progress accelerated, and in time, we cannot say within what time; time is the great healer of wounds, whether mental, physical or political; time will give the people control of the politicians and they will return—we shall again be a united people.

Mr. President, in God's name, what are we to gain by changing our position? I am here as one of this family council. I am here to speak my mind as a free man and as a representative of free men ought to speak it, in kindness and brotherly love, and at the same time with boldness and candor. We have been brought here for communion and for consultation. We are here deliberating upon the question whether we shall pass an ordinance taking this old Commonwealth out of the Union or

whether we shall make further efforts to restore and perpetuate this Union.

What are we to gain by secession, what can we gain by separate action on the part of this Commonwealth? In regard to any one of the questions embraced in the whole scope of our difficulties, what do we gain by such a step? What do you gain on the territorial question? The entire abandonment of all connection with an control over them. It is interesting to our people now only as a question of right—more so in that aspect than as a practical question of value; but as a question of right I would settle it fairly, justly and forever. On that question are you determined to lose everything?

On the question of our absconding slave population, what do you again? You exchange the constitutional provision which requires the rendition of fugitives from service, the laws of Congress to enforce it, and the amendment now proposed for the payment in full of unreclaimed and lost slaves—you exchange all these provisions and guarantees securing you in your rights, for the mere chance of treaty stipulations, after we shall have divided on the slave line, and after sovereign and independent nations shall have taken the place of confederated States. How are you to treat with them upon the question? Can you treat with England? It was tried in the Webster-Ashburton treaty. Have you ever been able to open to the English mind the conception of an arrangement for the rendition of fugitives from Canada? Not at all. And across the Ohio river you would substitute for these confederated States, not Canada merely, but States once in communion with us thrown off and converted possibly into worse than a hostile Canda. That is what you would gain upon the fugitive slave law. And what do you gain in any particular as to this institution, in which we are so much concerned—the institution of slavery, which is, and ought to be, a great and vital interest in this Commonwealth—an institution which, I am prepared to say, is founded not only in social and economical expediency, but is the best of all positions for the African himself—an institution morally, socially and politically right—what do you gain for that institution, I say, by sundering this connection? Instead of a Commonwealth in the centre of a great confederacy, made up of slaveholding and non-slaveholding States, with constitutional and statutory provisions for your safety and security, you exchange that position for a border attitude along the line of States, no longer connected with you, not participating in that institution, but becoming possibly, by your own act, more hostile to it than ever. You abandon all the guarantees which you now have under the Constitution, and all which are proposed to be added, for the

uncertain chances of an arrangement between foreign governments.

Mr. President, I remarked awhile ago that it was better to protect slavery in Western Virginia than in New Mexico; better to legislate for the encouragement of that institution upon your own borders than elsewhere. If you do not afford such protection, what is the condition of Western Virginia in regard to the institution of slavery? Do you not perceive that the institution at once becomes worthless to us? In my region of the State, bordering upon the Ohio river, can you hold slaves at all after separation? I come from a county which, by the census of 1850—the census of 1860 I have not yet seen—contained some 3,000 slaves. I come from a region of country constituting—permit me to say in passing—as lovely a portion of this green earth, as perhaps lies within the limits of this Union—I mean the fertile and beautiful valley watered by the Kanawha, abounding in all the material resources of wealth, commerce and power. A country abounding in agricultural, mineral and commercial facilities and material. I come from the region of the great coal fields, the great salt deposits, and the oil wells and mills now furnishing light and lubrication for the whole land. Look at my neighbors of the upper Kanawha, eighty miles north of me—a valley filled with enterprise, with capital and adventure—rivaling in activity of speculation and hope of fortune, the scenes of Pike's Peak a few years ago. Look, also, at the Wheeling region; its rich deposits of coal and its extensive manufactories. Look at the region represented in part by my friend from Monongalia, (Mr. Willey,) watered by streams running to Pittsburg—the head springs of the Ohio—his Pennsylvania neighbors within twelve miles of his own residence, in the charming village of Morgantown. What, I ask you, is to be the condition of this great portion of the State. Starting from the mouth of the Sandy River, which divides us from Kentucky, tracing a line by the Ohio to the upper end of the Pan Handle, and then passing along the Pennsylvania boundary, you have about four hundred miles of free State border.

Now, sir, as one of the citizens of this community, as a property-holder in Western Virginia, I protest, for myself, and on behalf of my constituents in like condition, against changing its political and governmental relations. Give us peace; give us guarantees such as are now offered and which we can get; invite and encourage us to our coal mines, salt wells and iron furnaces—to the oil mills and oil springs—the work-shops and manufactories—to the cultivation of our fertile fields, and the care of our lowing herds—that is what we desire. Dismember this Republic, and where will you place us? You cut off a large mass of our labor, no longer to be retained among us, and sub-

ject every product of our industry, whether of the mine, the forest, the field or the shop, to the burdens of protective and prohibitory tariffs, in the Union which we shall have left. The free States contain some eighteen millions of inhabitants, and constitute the chief market for all our surplus; they can place no tariff on us under the Constitution; but, as a separate government, would protect their own industry and their own productions, to the injury and exclusion of ours. At the same time, by the tariff act of the Southern Confederacy, recently passed, all provisions for consumption are admitted, duty free; and, so far as the Southern market is concerned, the cattle, flour, wheat, corn, and other provisions supplied by Virginia, would be left to competition with the great producing regions of the Western and the North-Western States. Are we to be placed in this predicament?

These remarks, both as to slave labor and our surplus productions, are applicable to the whole State in greater or less degree. Here is our northern border—the Potomac line—separated from the free States only by the narrow interposition of Maryland. Your whole sea coast is all to be opened up, and we are to become, to use a homely phrase, the outside row in the corn field. We are to protect slave property in States south of us, but to lose our own. So far from secession rendering the institution of slavery more secure in Virginia, it will be the potent cause of insecurity. Slave property cannot be retained in that position of affairs; it will diminish instead of increase. We shall find this diminution encroaching first upon the counties of the north-west, then on the central west, compelling us to sell our slaves or permit them gratuitously to run away, disabling us from holding them and rendering them worthless; that border widening and encroaching upon you in the centre, stretching to the east, until at last, in all human probability, by such separation, Virginia herself in the course of time, perhaps not far distant, will be placed in the attitude, if not of a non-slaveholding State, at least slaveholding so partially as not to be regarded by her sister States of the South as any better than a Yankee appendage. I believe that the sundering and dismembering of the Union is the signal not only of vast injury to the slave institutions of the country, but possibly of its extinction in Virginia. God forbid that such results should follow. I fear them—I point you to the natural effects of causes.

But, Mr. President, not only are our most material interests to be thus affected by this remedy of secession, but in other aspects the consequences are not less worthy of consideration.

Europe is divided into numerous separate nationalities, bounding each other. Frowning fortresses, bastions, embrasures and all the preparations and muniments of war and standing armies

constitute a necessity of the European system. Now, in the United States we have heretofore had no occasion for apprehension from internal disasters and outbreaks. Our geographical position at the same time, has given safety from invasion from abroad. But, sir, when you shall divide this country by the slave line—a line of 2,000 miles between the slave and the free States—you at once perceive that you are immediately remitted to the European *status*. The same causes which bring about standing armies and preparations for defence and war there will bring them about here. We have every reason to believe that in five years time after a permanent dismemberment of this Union there will be a standing army of at least 100,000 men on each side of the line. It will be the only mode of safety for either. It would only be the fear of each other that would keep the peace. It is only that which keeps the peace in Europe now; it would be only that which would keep the peace here. As one section enlarged its army and navy, the other would find it necessary to make a corresponding increase—precisely as you find England and France watching each other, and increasing their military and naval forces *pari passu*.

I will not go into an examination of the expenditures necessary to support and maintain the new government, with its army and navy. That these would be vastly augmented none can doubt. The increase of expense would be brought upon our people, with diminished means and capacity, on their part, to meet and discharge it.

I might advert to our constant liability, after separation, to border raids and invasions; the worst population on either side the line having it in their power to bring the two sections into strife at any time.

I regard secession, then, so far from being a remedy for the evils of which we complain, as an aggravation of them all, and as introducing and fastening upon us, new mischiefs, of the most injurious, if not fatal character.

Mr President, we talk about passing an Ordinance of Secession here, an ordinance for the immediate and separate secession of Virginia, in the condition of the public mind of the people of this State! Where would be the wisdom, the prudence of such a measure, if there was a majority in this Convention favorable to it?

With the known thought and sentiments of the people of Virginia, I cannot believe that this Convention would, if it could, pass an ordinance of secession, and send it out to be voted down by a larger majority than that which registered itself in favor of a reference of the action of this Convention to a vote of the people, for ratification or rejection. The people of Virginia do not intend to accept and ratify an ordinance of secession until every

effort has been exhausted to avoid it; until Virginia has performed her duty and her whole duty to herself and to the people of this country. If we pass this ordinance of secession before the consummation and exhaustion of all those efforts, and the performance of this whole duty, we shall send it forth only to be overwhelmed by the waves of popular disapprobation and indignation; to be buried so deep in the ocean that not even a bubble will arise to the surface to point the place where it went down.

Go on with your patriotic endeavors—make these efforts honestly, hopefully, fully and to the last, and when all has been exhausted, and when the people of Virginia, as an enlightened and considerate people as they are, shall be satisfied in their heart of hearts, that there is no alternative, that we cannot and ought not to remain longer with the States to which we are now connected, then, Mr. President, and then only, the Commonwealth as a Commonwealth ought to speak and act will be united from centre to circumference—united from the Roanoke to the Potomac, from the sea-shore to the Ohio.

Sir, I warn you—I warn you as a Virginian—I warn you as a friend and brother, not to throw a fire-brand among the people of this Commonwealth. I speak freely; I speak as one of this family circle. I claim to have as large, as permanent, and as abiding a love and interest in this Commonwealth as any here. You shall not claim a higher niche for the glory and honor of Virginia than I claim. I love her as a child ought to love a mother; I never entertained a sentiment at war with the loyalty of a Virginian, or adverse to her peace, her interests or her glory. If I know my own heart—man sometimes is mistaken in himself—but if I know the sentiments of my own bosom, I would this moment, for the peace and honor, safety and glory of this old Commonwealth of ours, lay down this poor and worthless life as a cheap sacrifice for such a good.

But I am here to demand and protect the rights of my people. I came here to speak as a free man, to deliberate as such; aye, and to deliberate and to speak boldly, uninfluenced by all and every extreme of pressure whether from within or without.

When gentlemen talk of passing an ordinance of secession, what do they mean? Have gentlemen adverted to our position? Have gentlemen, I say, adverted to our position and our surroundings? You ask to take Virginia out of the Union by an ordinance of immediate and separate secession. I am here, sir, as one of her sons to protest against that course. Where is Virginia, and what are her duties? Gentlemen of the Convention, bear with me for a moment while I refer to this subject. Where are you? Here lies Maryland in your lap—lying on your lap for safety and protection. Maryland, within whose limits is

situated the capital of this nation—Maryland has not even called a convention or a legislature—which has yet made no move towards a consideration of this question; and yet her fate, instantly and forever, is to be settled by the movements of Virginia. You cannot make a move in the way of secession in Virginia without precipitating Maryland. I know it; you cannot do it. Maryland, connected to you by every tie that can connect one State with another; by all our common rights and interest in the Potomac and the Chesapeake—by her magnificent rail road, terminating at two points within your territory—Wheeling and Parkersburg—traversing the whole extent of your Northern and North-western borders—will you go out by separate State action without consulting Maryland, thereby precipitating her into the most painful and difficult position in which a State can be placed, putting her into the hands of the Federal Government with all the power of that Government upon her.

But again, sir, where is the Old North State, the land of Nathaniel Macon, typical as he was of North Carolina; slow but wise, hard to come up to the mark it may be, but firm and unappeasable when she does come—where is North Carolina?

Why, Mr. President, if you pass an ordinance of secession, you cannot get to the Southern Confederacy unless North Carolina goes with you, for she lies between you and Georgia. There is evidently no disposition on her part to secede. A majority of her votes have been cast against a Convention. She refuses even to call a Convention to consider the question of secession, resting calmly upon her dignity and upon her rights.

And then, what do you say of Tennessee—glorious Tennessee, daughter of North Carolina, which borders your territory and receives from you the waters of the Clinch and the Holston? You know the character and sentiments of her people, true, brave and loyal; the bravest of the brave, the truest of the true. She has called no Convention, taken no measure or movement, laying quietly, biding her time, ratifying by her vote in the Peace Conference the acceptability, the entire acceptability of that scheme and guaranty.

And then comes your noble and glorious daughter Kentucky, the first-born of Virginia. I come from the Kentucky border country. Indissolubly connected as we are with our Kentucky friends on the other side of the Sandy River and with Western Virginia, holding the same rights and the same interests in the Ohio and the Mississippi.

Kentucky holds some six hundred miles of Ohio front, with the States of Ohio, Indiana and Illinois all lying across the stream, in full view of her. Do you mean to precipitate yourselves out of the Union without considering or inquiring what

effect that movement is to produce upon Kentucky? Do you contemplate such a step without conferring with your other sisters of the border, who are equally interested with you in the result? Will you go out without consulting Maryland, North Carolina, Tennessee, Kentucky—all connected with us, bound up in our fate, affected necessarily by our act of secession? Do you mean to take a jump outside the magic circle which now encloses us, without taking counsel with those whose fate is intimately connected with yours, and whose destiny for good or evil would probably be consummated by your act?

Why, sir, we hear the argument advanced continually, that whatever Virginia does, the other States will do. Mr. President, have we come to this? Are we to assume before the world, and put forth as our justification, the idea that Virginia can properly go out of the Union in her present position, without arrangement or consultation with her surrounding sisters, upon the theory that so commanding is her attitude and her influence, that these other States will be compelled to follow where she leads? This is not an argument upon which Virginia can stand. It is not worthy her ancient fame, or her yet unsullied justice and magnanimity.

Sir, we are constantly expressing ourselves and in strong terms against coercion. We are all against coercion. We are pledging ourselves against the policy of coercion. Yes, sir, and rightly; and yet, in the same breath, shall we ourselves coerce? You will not let President Lincoln or the Federal Government coerce any of the Southern States. You announce yourselves as utterly determined to resist this policy, and yet you take a course towards your sister States, that have not offended you, who are relying upon you, who are hugged up, as it were, in your arms and sitting upon your lap, which will inevitably coerce them into a system which they would not willingly adopt. You are forcing them to change their position, and encounter all the perils of the change, whether they will or no. By your own leap into the abyss, you are compelling those States to follow, with a boast before hand, that they are obliged to take the plunge if we do.

What is the difference between moral and physical coercion, in the result which is to be brought about? What is the difference between knocking a man in the river, by a blow, or compelling him, by causes which you can control and which he cannot escape, to jump in himself? Sir, the people of Virginia will not tolerate such a policy towards the States I have referred to. Here is Missouri, more distant from us, now in Convention. Arkansas is now in Convention. Both these States will, in all probability, propose and recommend a border slave State conference.

There is another State which I will not forget, for I have had recent occasion to be renewedly impressed with admiration for that little State. I will not forget the gallant, noble little Delaware. With only some eighteen hundred slaves within her borders, she is true and faithful to the rights of the South—as true to the guarantees and obligations of the Constitution as her proud soldiery were brave and intrepid in the days which tried men's souls, and when, by their gallantry, they obtained the *subriquet* of the “Blue Hen's Chicken.” Is Delaware to be consulted, or left to take care of herself? Will Virginia, the elder sister, in a moment of madness, break away from the remaining members of the family without consulting their wishes, without taking leave, or even telling them where she is going? No, sir; when the people of Virginia shall ultimately be brought to decide what shall be necessary for them, they will do so with a due regard to the interests of those States which are so intimately connected with her in interest and sympathy.

Sir, go home to your constituents, after having passed an ordinance of secession, and tell them that you have passed it because you tried to get guarantees and failed. They will ask you what trial and effort has been made? Why, we obtained in the “Peace Conference” guarantees on all the points of controversy, but Congress refused to submit them as amendments to the Constitution, to be acted upon in the States and incorporated into that instrument, and the 4th of March is passed, and we thought we would not stay under Lincoln's administration.

Do you suppose the people would accept and approve your report and ratify that ordinance of secession? No, they would tell you that you had not acted upon the high and patriotic policy pursued by your fathers. Our fathers did not find that a great constitutional government could be built up in a day. Nor is a broken government to be repaired and reconstructed in a day. The fathers of the republic depended on patient, persevering, honest, patriotic labor to the last, and with God's blessing upon these labors, success crowned their endeavors.

I tell you, that our people will require a like honest and faithful effort—persistent assiduous effort. Make up and present to the people the issue, whether the Union is to be dissolved, if the guarantees proposed can be obtained, and one mighty negative would be heard throughout the Commonwealth. These guarantees can and will be obtained, and let the politicians say as they please of them, they are ample, and cover every point of controversy.

But we are told that something must be done immediately—that we have a new administration—we don't know what mischief that administration may perpetrate, and that we must resume our original rights.

Mr. President, I confess, for one, that, as a Virginian, I am not willing to see her driven and impelled into any course, which otherwise she ought not to take, by fear of any man or any set of men. She is not to be dragooned, either by fear of the Federal Government or affection for the Confederate States.

We are asked if we are willing to submit to Mr. Lincoln. We submit to the Constitution and the law, but not to tyranny and oppression—when these come we shall be ready for rebellion and revolution. But Mr. Lincoln is the submissionist, not us. He is, at this moment, submitting to the noble position of the border States. He is submitting to the exigencies of his own position.

I have nothing to say of the Inaugural Address, which has been so much commented on. My course cannot be governed by any expression of opinion, or any programme of measures, which must depend for their execution on the question of practicability, and must vary with the circumstances of the hour. I shall be but little moved by newspaper paragraphs or telegraphic despatches, those swift-winged messengers of sensation and alarm. I think we should act coolly and calmly, and only upon full information of the facts, on which our action is to be predicated.

We are to be alarmed by the declaration of the President that it is his duty to hold, possess and occupy the forts. That means war, it is said.

Why, Mr. President, I think that we ought to judge of every one by rules of common sense and by the rules of human experience, by the same modes of consideration that we judge of ourselves. Why should we construe this into the announcement of a purpose to re-take forts which have been captured by the seceded States, or any of them, and are now in their possession? In the first place, there is no cause for re-taking them. They are not needed for purposes of national defence at all, because they are in States that have seceded. There is, therefore, no necessity for re-taking them. There is no motive to impel the administration to resort to force which will bring on a conflict between those seceded States and the General Government. Then, again, he has no means of re-taking them even if he desired. He can only re-take them by a force which he has not the power to raise. He has only the little standing army belonging to the country, that is scattered over your entire frontier, West and South-west, and utterly incapable of taking these fortified places or any of them out of the hands of the seceded States.

Well, now, as to the collection of the revenue. I am not aware of the existence of any law whatever that authorizes the collection of the revenue for the purposes of the Government anywhere, except at the custom-house, and in the ports of

entry. We all know that in General Jackson's time it was found necessary to enact a law for the purpose of conferring this power. We know that that law by its own terms expired in two years after the period of its enactment. We know that during the session of this last Congress there was a bill pending to confer that power in the present instance. We know it did not pass, and there was no progress made towards its enactment after the arrival of the new President in Washington. We know further, that Mr. Buchanan some time ago nominated a gentleman from Pennsylvania to act as collector of customs at Charleston, and that that nomination was never acted upon by the Senate. I am then, Mr. President, warranted in saying that there is no legal instrumentality, at this time, which enables the Government to collect revenue, except the law of Congress authorizing its collection at the custom-houses in the ports of entry.

The idea of collecting it outside the harbor and in an armed ship, even if that were an authorized lawful mode of collection, I am convinced would be—especially when connected with our warehousing system—utterly deficient and impracticable. You are aware, Mr. President, that under the present warehousing system, goods can remain three years without requiring the duty to be paid upon them, unless they be withdrawn. Where is the power to blockade the port? Why, the power to blockade is the power to declare war, and the President is not vested with the power to declare war. Hence, I say, Mr. Lincoln has not the ability, if he had the inclination, to constrain the collection of revenue, without further legislation by Congress.

I do not propose to discuss the question of the right of secession, about which we all have opinions of our own. I will not go into that argument now; it is not necessary, it is not opportune. I think that, in whatever aspect that right may be regarded, we are bound to accept secession as an existing fact. Seven States have declared themselves out of this Union—have formed a new confederacy, and are now performing the functions of an independent government. Now, sir, I should say it is a narrow, unphilosophical statesmanship that would regard the movement of those Southern States, acting as organized commonwealths, and by conventional decrees and ordinances, in the light of partial insurrectionary movements in opposition to State authority. Who would compare the secession of entire States by conventional authority, with such a movement as the Whisky Insurrection in Pennsylvania, or Shay's Rebellion in Massachusetts?

We are living in a new era. What has happened is entirely unprecedented. We have no example for it in the history of the world. It is a thing the founders of our Government never

anticipated. They made no provision for a dissolution or destruction of the Government. It has come upon us and we must meet the event as best we may.

And what is that best? I say, Mr. President, just to let them alone. I would use no force. Force now is civil war, and with civil war, the bonds of our Union can never be renewed. I am happy to say that the news of this morning leaves no reasonable ground of doubt that a pacific policy has been wisely determined on at Washington, and that the troops in Fort Sumter are now or will soon be withdrawn. These States must be left to time, to their experiment, to negotiation, to entreaty, to sisterly kindness. That is my mode of treatment. Under its operation all may be well. The old affection will return—the memories of the past will incline us to each other—our joint struggles and joint triumphs, the hopes which clustered about our great experiment of free government and enlightened civilization, and which cannot be abandoned, and yet, more than all, a sense of common interest and common safety, will bring us together again, and our Union be more strongly cemented than ever.

Virginia is master of her own position and of her own movement. She need fear no force around or about her. She is capable of taking care of herself, and of taking care, by her voice and her declarations, of the interests of her sister States to a very large degree.

What then is her duty? Is she to plunge into an unknown future? Is she to rush into the arms of a Southern Confederacy, the structure of whose government she has not aided to erect, to take refuge in an edifice reared by other hands, and none of whose apartments may suit either her necessities or her convenience? Is she to hasten to a feast, where she may be, perchance, an unwelcome guest; a guest only and not an original member of the family? Is she to go without knowing the desire of any one of the States bordering upon us, or whether they will accompany us? Is she to go in contravention of the express will of the great body of her own people? Are we to do this on the ground that we are afraid to stay in the Union longer? Are we to be whipped out of it by fear? Are we to become submissionists to the apprehensions, or to the ambition of politicians?

Mr. President, let us erect ourselves to a higher posture. It delights me to gaze upon the lineaments of this noble old Commonwealth, impressed upon her in her early youth time, and never hitherto effaced. Grand, noble, deliberate, just, calm, wise—all these attributes she spreads out before us—she is now asked to break away from this sisterhood of States; to abandon all hope of ever re-constructing our once glorious Union, and to carry away with her the household gods of the nation—to depart

with the remains of Washington in her soil, with Jefferson, and Henry, and Mason, and Madison, and that long line of illustrious sons who aided in laying the foundations of this Commonwealth, deep and abiding in the principles of law and order. She is asked to carry these away and to make them to the larger portion of this nation, foreign relics, to be visited and gazed on, perhaps, in after years, only at the price of some new crusade, waged in vindication of the right to look upon the shrine, not of him who shed his blood for the common salvation, but to visit the tomb of him who was the leader and conductor of his people in their great struggle which led them to a joint inheritance of independence and freedom.

No, Mr. President. No! no! The duty of Virginia lies in another direction. It is her's to be faithful when all others shall prove faithless; it is her duty, when all others shall forget duty, to stand by it to the last, and only to give up its performance when that performance shall become impossible. It is her's, Mr. President, not to fly from, but to stand by these monuments of her glory—the Constitution and the Union—constructed by herself more than by all others. If these monuments need repair, if they need retouching even, in their inscriptions, who has so much right as Virginia to lead the way in this remodelling and amendment? Let her call around her these sister States. I see that it is contemplated in the report of your committee to call a Conference at Frankfort. Let Virginia call to this Conference all the slave States remaining in the Union. Let her there consult, devise, express her own opinion, consult the opinions and wishes of others—her daughters and her sisters—she will go there their equal and no more—not to dictate, but to commune. She will have her full share of influence—she should ask no more. As the elder sister of the Republic, with all her ancient glory, her honor and her services clustering around her, and which cannot be stripped from her, she invites her associates into council. Her past is safe; let not the error of the future dim the lustre of her former greatness. The brave and powerful man is always a generous man. The position of Virginia is power—her voice when uttered, is decisive. She will not exert that power or speak the word to carry her out of the Union and involve the fate of her sisters. She will consult those sisters on every point of common interest, and on every scheme of common deliverance.

Let her go there. Let her say that this adjustment is satisfactory to her. Let her present it as her contribution to that consultation, subject to approval in whole, or to modification.

The Frankfort Conference will, upon full consultation, agree upon the guarantees which will be satisfactory to the slave States now remaining in the Union, and will devise the plan of

bringing them to the consideration of the other States. Let an appeal be made, not to the politicians, but to the people of the nation. What shall be agreed on there, will be accepted by the whole nation.

And what further is the duty of this Convention? There is at this moment, Mr. President, a most oppressive, benumbing weight upon the hearts of the people of Virginia, your constituents and my constituents, and all the people of this Commonwealth. The great interests of this State are paralyzed. Capital seeks to hide itself from the passing storm. Labor goes unemployed. Property is depreciated. Everything is at a stand-still. Why? Because of the uncertainty and dread of what is to come. This state of things ought not to continue. We ought to act, and act promptly, for the removal of the public anxiety. We ought, in the first place, to command peace on all sides. Then let us agree upon such plan of guarantees as will be satisfactory to Virginia. Call this border slave State Conference at Frankfort, or elsewhere, to deliberate upon it, and ascertain whether it is satisfactory to them, and adjourn over for that consultation. What more can you do? What more ought you to do? I would have you do a little more than that. I would have you to say by your action that all is not lost. I would have you, by your action, remove this fear and trepidation from the minds and hearts of our people. Say to them distinctly that the State is not to be precipitated; that she is doing her duty under the Constitution which our fathers made; that she is in the Union which they constructed, and expects to remain there. I would have this Convention so act as to send the husbandman forth merrily to his fields again, and bid him look forward with hope to a jocund harvest; renew the music of the hammer and the plane in your workshops, and start afresh the merchant and the man of commerce. I would unloose business and enterprise now locked up; locked up because of some unknown but anticipated danger. Shall we continue this state of things? No, Mr. President! Remove it. Say to the people in the city and in the country that Virginia knows her duty and will perform it; that she will perform it in her own time and in her own way. She is neither to be forced by outside or inside pressure to do wrong. If she is ever to leave this Union, she will leave it with no stain upon her justice, and with no remorse for duty unperformed. But she will not leave it. Let that announcement go forth, and, my word for it, that, like the wand which struck the rock in the wilderness, the waters of joy will gush forth throughout this Commonwealth. Business will revive; agriculture, commerce and manufactures will revive. Make it known that you intend to keep the peace and restore the Union—and that you are taking your own time and

your own mode to accomplish it. Do it, Mr. President, and send a thrill of gladness throughout this State and over this broad land to animate every heart. Let it be known that however dark and lowering have been the clouds upon us, that they are breaking away, and that soon the bow of promise and peace will span the whole heavens again.



